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IMMIGRATION

First-term lawmaker Rep. Tony Cardenas (D-Calif.) has pushed for an immigration overhaul at the legislative and executive levels since being elected in 2012. In a Nov. 25 interview with Bloomberg BNA, Cardenas discussed President Barack Obama's recent announcement regarding the actions that the White House will take to implement change (225 DLR AA-1, 11/21/14) and the impact that these actions may have on the labor market.

Democratic Lawmaker Weighs in on Obama Immigration Action, Impact on Labor Market, Government Funding and Potential for Legislative Change

REP. TONY CARDENAS (INTERVIEWED BY CHRIS OPFER)

BLOOMBERG BNA: Are you happy with the immigration actions that President Obama announced? Did he do enough to address the problems with the current system? Did he do too much?

Cardenas: I am happy that the president has gone as far as he did. Commentators and legal experts from across the political spectrum and the U.S. Department of Justice confirm he acted within his legal authority to do so. For a variety of reasons, presidents have often had to take executive action on immigration and this

president acted well within the bounds established by his predecessors.

This was a decision forced upon him as a result of inaction by House Republicans. While the action taken by the president will provide some certainty for families and workers in the short term, the system is still broken. There are limits to what the president can do, which is why it is essential that House Speaker John Boehner (R-Ohio) put aside the politics of the issue and get the House to do its job and pass the bipartisan comprehensive immigration bill that passed with overwhelming bipartisan support in the Senate last year.

BLOOMBERG BNA: Opponents have challenged the president's authority to act unilaterally to accomplish immigration reform. Is it appropriate for him to take executive action on this issue?

Cardenas: It is not only appropriate, it is necessary. Our economy is not powerful enough for the U.S. to play with one hand tied behind its back. Right now, our country has small business owners who don't know if their employees are going to get deported, farmers who may not have the workforce for their harvest, kids who don't know if they can go to college because their parents might be removed from this country and 11 million potential consumers who have to weigh every decision as to whether it might draw the attention of immigration enforcement agents. Helping to provide certainty is absolutely appropriate, particularly because House Republican leadership has proven they simply do not care

Rep. Tony Cardenas was recently elected to his second term in Congress. A former state legislator and current member of the Congressional Hispanic Caucus, the Congressional Border Caucus and the New Democrat Coalition, Cardenas has advocated for an immigration overhaul during his first two years in the Capitol. He is the sponsor of legislation (H.R. 4949) to create an Office of New Americans, aimed at supporting the integration of immigrants into local communities, and a co-sponsor of a comprehensive immigration bill (H.R. 15).

about the American economy enough to make the needed changes.

BLOOMBERG BNA: You recently voted against legislation that would have approved the Keystone XL pipeline and bypassed the State Department permitting process for the project. Opponents of that bill said Congress was improperly trying to usurp power that belongs to the executive branch. Doesn't a similar argument apply here? The president appears to be bypassing the legislative process to enact change unilaterally. What makes this different from Keystone?

Cardenas: This is comparing apples and oranges. For immigration, the president is acting within his authority because of legislative inaction and clear statements from Speaker Boehner that immigration reform is off the table. For Keystone, while some may not agree with the pace of the decision-making process or where they believe he will ultimately stand, this isn't a matter of executive inaction. The president has been clear that a decision is forthcoming.

There is a long history of executive action on immigration, as well as executive branch involvement on projects like Keystone. Republicans forced this Keystone vote solely for political reasons, which we have to move away from if we are actually going to solve problems.

BLOOMBERG BNA: Which of the actions that the president announced do you think will have the biggest impact on the labor market?

Cardenas: I think that extending work visas for men and women who are hard at work in our country, who have proven their worth to our economy, will create certainty in both consumer and human capital markets that will increase our GDP [gross domestic product] and create more opportunities for small and medium businesses to increase hiring.

BLOOMBERG BNA: Won't some of these moves make it more difficult for citizens already looking for work to find jobs by increasing competition?

Cardenas: Very simply, no. The only circumstance in which an American citizen would have less likelihood of getting a job than someone who is undocumented, strictly based on immigration status, is a low-paying job in which the employer can fraudulently, often illegally, underpay an undocumented worker because the worker is unlikely to report them.

With a lessened threat of deportation, and increased border security slowing the labor supply of undocumented workers who have to live in the shadows, pay in these jobs should rise, removing any incentive to hire an undocumented worker over an American citizen.

This is one of the main reasons why we needed to pass a comprehensive immigration reform bill. Inaction creates a black market and leaves workers vulnerable to exploitation.

BLOOMBERG BNA: Expanding the deferred action for childhood arrivals program was one of the actions that many observers expected the president to take. Why is it significant?

Cardenas: DACA is crucial because it says to children who were brought here when they were too young to have a say in the matter that we understand their circumstances. It says we understand that, except for a birth certificate, they are as American as anyone else. It

says we understand that they love our country, they fight for our country, some have died for our country and they want to improve our country. It says we understand them and we want them, because they are the generation that will build the new American economy.

BLOOMBERG BNA: President Obama said the Department of Homeland Security will look to enhance the educational experiences of foreign students studying science, technology, engineering and mathematics (STEM) at U.S. universities by giving these students expanded options for on-the-job training following graduation. But the program currently only allows eligible students to work in the country legally for an additional year after graduation. What else will or should be done to ensure that STEM students trained in the U.S. aren't forced to take their skills and ability elsewhere?

Cardenas: We must ensure that men and women who come here for our amazing education system, who enter the most innovative technology workforce on the planet and who begin producing the products and technologies that will drive our economy, can become Americans. If you want to learn here, work here, pay taxes here, raise a family here and contribute to our economy, we want you. There is nothing that should get in your way. That should be the goal of the American immigration system, from the president to the person checking your passport at LAX [Los Angeles International Airport].

BLOOMBERG BNA: Republican leaders in both chambers of Congress have said they will consider all options to block the executive actions. What moves do you think they might make to try to do that? Is it likely that they will look to add language to the continuing resolution that Congress is expected to pass to keep the government funded temporarily?

Cardenas: I expect the far right wing of the Republican Party, those who hate the entire concept of immigration, to do everything they can to stop the president from doing the work that Congress should have already done. I hope, and I will talk to my colleagues on the Republican side to ensure, that mainstream Republicans understand that this is not just about fairness and fixing a broken system, it is about supercharging our economy. I hope they see the value in an increased consumer and producer base in this nation and build on this first step instead of moving backwards.

BLOOMBERG BNA: What do you think are the chances that an immigration-related debate over a continuing resolution to fund the federal government could cause a government shutdown?

Cardenas: I do not believe there will be a government shutdown. To shut the government down over policy disputes is the most childish, irresponsible thing I can imagine a leader doing. For Speaker Boehner to allow that would show that he and Republicans are not interested in fighting for the future of the United States of America, they are interested in doing whatever it takes to get votes from the Republican Party of the far right.

BLOOMBERG BNA: Are there other specific areas of reform that have enough bipartisan support, like E-Verify, that they could be accomplished through piecemeal legislation in the next Congress? Or has the president "poisoned the well" for future change, as Boehner suggested he would by acting unilaterally?

Cardenas: I have been a legislator for 18 years now. I understand that even the most bitter of enemies on one issue can sit down and find they have common ground on something else. This is not a popularity contest, and it is not a schoolyard fight. We are in charge of leading the most important nation in the world. If our leaders

cannot come together to take on the challenges that the nation faces, they do not deserve to be in leadership. In fact, I don't believe they deserve to even be in Congress. So, I hope we will come together. I hope we will find bipartisan support for bipartisan solutions. I look forward to it.